



# San Diego County Sheriff's Department

Post Office Box 939062 • San Diego, California 92193-9062



*William D. Gore, Sheriff*

August 22, 2019

Samuel Sinyangwe  
c/o MuckRock News  
DEPT MR 74864  
411A Highland Ave.  
Somerville, MA 02144-2516

Email: [74864-87247913@requests.muckrock.com](mailto:74864-87247913@requests.muckrock.com)

## VIA EMAIL AND U.S. MAIL

Dear Mr. Sinyangwe:

The San Diego County Sheriff's Department is in receipt of your email dated and received August 15, 2019, requesting records pursuant to the California Public Records Act (CPRA). Specifically, you request a revised estimate for the data that the San Diego County Sheriff's Department collected pursuant to the Racial and Identity Profiling Act of 2015, enacting California Government Code section 12525.5 (RIPA) from January 1, 2019 through July 31, 2019.

The Sheriff's Department previously responded to your June 4, 2019, CPRA request for RIPA data collected from 2017 through June 1, 2019. The Sheriff's Department provided RIPA data for July 1, 2018 through December 31, 2018.

In response to your request for data from January 1, 2019 through July 31, 2019, the Sheriff's Department provides the data to the California Department of Justice (CA DOJ) at regularly scheduled intervals. We provided the data from July 1, 2018, to December 31, 2018, free of charge, because we provided it to the CA DOJ. The next set of data will be provided to the CA DOJ by April 1, 2020. The Sheriff's Department does not plan to prepare the data for release until on or about April 1, 2020. Pursuant to Government Code section 6253.9(b), "the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when... the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals." The costs for the extraction of exempt material from electronic records are borne by the requestor. (See Gov't Code § 6253.9(b); *National Lawyers Guild, San Francisco Bay Area Chapter v. City of Hayward* (2018) 27 Cal.App.5th 937, 952 (review granted)). Thus, the Sheriff's Department intends to charge the costs incurred, including the hourly salary and benefits of the employees who review and redact the data.

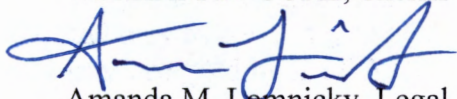
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The Sheriff's Department can provide you with the additional, January 1, 2019 to present, data redacted pursuant to Government Code section 12525.5(d), and Code of Regulations section 999.224 through 99.229, if you pay for the cost of producing the record, including construction, programming, and computer services necessary to produce a redacted copy of the record. The Sheriff's Department would provide this record in the same format as the previous data that was provided. Validation corrections required by CA DOJ cannot be processed before submission and may cause data inconsistencies between the raw data that is provided, and the data that is later accepted by the CA DOJ.

The Sheriff's Department estimates that the cost to extract the request data will be \$1,472.96. The Sheriff's Department estimates that it will take one employee, whose salary plus benefits totals \$108.01 per hour, 8 hours to extract and review the records, and one employee whose salary plus benefits totals \$152.22 per hour, 4 hours to redact exempt PII data. Upon receipt of the estimated fee, the Sheriff's Department will begin the process of preparing the additional data for release. Should the cost of extracting the records exceed the estimated cost identified above, the Department will contact you to seek your approval. Should the actual cost of extracting the requested records be less than the estimated cost, the Department will refund the excess amount. The Department will provide the requested data after payment of the required fees.

Sincerely,

WILLIAM D. GORE, Sheriff

A handwritten signature in blue ink, appearing to read 'A. Lemnicky', is written over a light blue rectangular background.

Amanda M. Lemnicky, Legal Advisor  
Office of the Sheriff – Legal Affairs Unit